

## **EXHIBIT A**

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

Jody Oseman-Dean,

Plaintiff,

vs.

Case Number 1:2011cv01935

Illinois State Police, Marc Maton, Harold Nelson,  
Michael Cooke, Robert Haley,

Defendants.

Deposition of Suzanne Colleen Jansky  
Wednesday  
January 4th, 2012

-at-

Mueller and Reece, LLC  
205 North Center Street  
Suite 1  
Bloomington, Illinois

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## APPEARANCES

For the Plaintiff:  
 Johanna Josie Raimond  
 Johanna J. Raimond, Ltd  
 431 South Dearborn Street  
 Suite 1002  
 Chicago, Illinois 60604

For the Defendants:  
 Sylvia Rios  
 Deborah Joyce Allen  
 Illinois Attorney General  
 100 West Randolph Street  
 Thirteenth Floor  
 Chicago, Illinois 60601

RECORDER: Good morning, we are now on the record. Today is Wednesday, January 4th, 2011. The time is now 10:06 a.m. We are located at Mueller and Reece, LLC, 205 North Center Street, Suite 1, Bloomington, Illinois 61701, for a deposition in the matter of Jody Oseman-Dean v. Illinois State Police, Marc Maton, Harold Nelson, et al., Case Number 1:2011CV01935, venue Northern District of Illinois,

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Q. Pat Keen?  
 A. No.  
 Q. Harold Nelson?  
 A. No.  
 Q. And Rob Haley.  
 A. No, ma'am.  
 Q. Okay. Jonathan Monken?  
 A. No.  
 Q. What year was that?  
 A. 1999 0:03:02  
 Q. Long time ago. Is that -- that's the only time you testified in a deposition?  
 A. Yes, ma'am.  
 Q. You probably testified at -- in court, though.  
 A. Yes.  
 Q. Okay. So you're familiar with the general procedure.  
 A. I am.  
 Q. Are you on any medications today?  
 A. I am not.  
 Q. Is there anything that would impair your ability to remember or testify truthfully?  
 A. Just age. No.  
 Q. But we know you're only 49.

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Eastern Division. The witness today is Captain Suzanne, S-U-Z-A-N-N-E, Colleen, C-O-L-L-E-E-N, Jansky, J-A-N-S-K-Y. Ms. Jansky, my name is Erin Sloan, I'm a notary public and am recording this deposition on behalf of Textnet, Inc. At this time, would you please raise your right hand for the oath?  
 (Witness sworn)

RECORDER: Thank you. Would the attorneys please state their appearances for the record?  
 MS. RAIMOND: Johanna Raimond on behalf of plaintiff.

MS. RIOS: Sylvia Rios, Attorney General's Office, on behalf of defendants.

MS. ALLEN: Deborah Allen, the Attorney General's Office, on behalf of the deponent, Captain Jansky.

RECORDER: That concludes the required information. We can proceed.  
 EXAMINATION

BY MS. RAIMOND:  
 Q. Captain Jansky, have you been deposed before?

A. I have. I was deposed for a civil suit and have had I believe two other depositions, one the deposition didn't actually happen. It was a dep rep and it never occurred, and the other did occur.

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A. Right.  
 Q. So you're in my age range. I hope that -- that wouldn't impair your ability to remember. What year did you start working for the Illinois State Police?  
 A. 1985.  
 Q. You have a college degree?  
 A. Yes, ma'am.  
 Q. What year?  
 A. 1984.  
 Q. And where did you graduate from in 1984?  
 A. Carthage College in Kenosha, Wisconsin.  
 Q. You from Wisconsin?  
 A. No, I'm from the South Side of Chicago.  
 Q. Oh. And was your first job after college the Illinois State Police?  
 A. No. I -- I was an undercover narcotics agent for Kenosha Police Department. And I worked in American Motors factory doing undercover narcotics work.  
 Q. You joined the Illinois State Police in 1985.  
 A. Yes.  
 Q. Can you tell me about your career in the Illinois State Police, what positions you held and the promotions you received?

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Q. Was the deposition that did occur in the civil suit or a criminal --  
 A. Yes.

Q. What kind of lawsuit?  
 A. It was a --

MS. RIOS: Objection to relevance.

MS. ALLEN: You can answer.

A. Pregnancy discrimination.

Q. Who was the plaintiff in the civil lawsuit regarding pregnancy discrimination?

MS. ALLEN: If I could just have a continuing objection to this line of questions.

MS. RAIMOND: Absolutely.

MS. RIOS: I will -- I'll join.

A. Trooper Tracy Garrett. That was her --

that's her maiden name.

Q. And who's the defendant?

A. I was one.

Q. Anyone else?

A. Yes. There were two other individually

defendants in the department.

Q. And the Illinois State Police as well?

A. Yes, ma'am.

Q. Was Mark Maton involved in that lawsuit?

A. No, ma'am.

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A. I went through the Academy in 1985. When I grad -- I -- in February of '85 -- when I graduated, I was assigned to District 6, which is this area here, Livingston, McLean and DeWitt Counties. I worked patrol in District 6 and had a temporary duty assignment within the first two years to work the Chicago Expressway detail. That was in 19 -- summer of 1986. Came back and worked District 6 again. In December of 1986, I applied for and was selected to a drug abuse resistance education officer. That started off -- initially it was believed it was going to be part-time, and before we were actually done with the training, we were told it was going to be a full-time position. So I was transferred from District 6. I believe the first place they put our bureau was under the Division of Administration. And started working in the DARE program and was assigned within that bureau for five years teaching the program K through high school. I was a mentor providing training to other police officers to become DARE officers and a field coordinator. In 1992, I performed a temporary duty assignment as a recruit class supervisor at the Academy. That's a ten-week program. And nearing the end of that program, I was asked to take an assignment change to work under the Directors Office under the EEO

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1 section. And I agreed to do that with the estimated  
 2 length being a year. And close to a year later, I  
 3 returned to District 6 as a sergeant. And I've been in 0:06:33  
 4 District 6 ever since. I worked as a field sergeant  
 5 from 1993 until I was promoted to master sergeant in  
 6 1996. As a master sergeant, I served as -- in a couple  
 7 of different platoons, all -- all within patrol in  
 8 District 6. Served as the acting lieutenant for a 0:06:57  
 9 short period of time in 1998 and shortly after was  
 10 promoted to lieutenant in District 6. And also in  
 11 1998, shortly after being promoted to lieutenant, I  
 12 began serving as the acting district commander because  
 13 of the captain's transfer to another assignment. There 0:07:24  
 14 were a couple of switches in and out from 1998 to 1999  
 15 with another captain coming in the District and me  
 16 returning back to being the operations officer. And  
 17 then in 1999, I again returned to being the acting  
 18 district commander and I've been in that assignment  
 19 ever since. I was promoted to the rank of captain in  
 20 2002. 0:07:50  
 21 Q. And you've been the captain of District 6  
 22 since 2002?  
 23 A. I've actually been the commander of the  
 24 District since '99 and I've been a hard rank captain  
 25 since 2002.

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1 Q. And you become the acting commander holding  
 2 the rank of lieutenant, correct?  
 3 A. Yes.  
 4 Q. And then does Ken Hall come back?  
 5 A. Yes.  
 6 Q. To District 6?  
 7 A. Yes.  
 8 Q. And then you returned to being the operations  
 9 lieutenant, correct?  
 10 A. Yes.  
 11 Q. And then Ken Hall leaves again, correct?  
 12 A. Yes. 0:11:00  
 13 Q. And you become the acting district commander  
 14 yet again for a second time, correct?  
 15 A. Yes.  
 16 Q. And you -- but you're still holding the rank  
 17 of lieutenant, right?  
 18 A. Yes.  
 19 Q. And then Captain Murray comes in and becomes  
 20 the commander of District 6, correct?  
 21 A. Yes.  
 22 Q. And you go back to being the operations  
 23 lieutenant, correct? 0:11:24  
 24 A. Yes.  
 25 Q. And then Captain Murray's moved out and you

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1 Q. When you said you were the commander since  
 2 1999, you held the rank of lieutenant but you were  
 3 acting in the commander's role that's typically a  
 4 captain, correct?  
 5 A. Yes, ma'am. 0:08:27  
 6 MS. ALLEN: I'm going to object to the form  
 7 of the question.  
 8 Q. You said in 1990 -- who was the captain who  
 9 vacated the commander position in 1998 when you first  
 10 became acting district commander? 0:08:51  
 11 A. Captain Ken Hall.  
 12 Q. Did Ken Hall receive a promotion? Or a  
 13 transfer of some kind?  
 14 MS. ALLEN: Objection to relevance and  
 15 remoteness.  
 16 MS. RIOS: I'll join the objection.  
 17 Q. You can answer.  
 18 A. Okay. He received -- initially he received a  
 19 -- I would call it a promotion to regional commander  
 20 position within I believe it was DII. It was a short 0:09:19  
 21 tenure. He returned to District 6. I think they did  
 22 some reorganization. I'm not -- I really -- I -- I  
 23 don't recall. But he returned to District 6 for a  
 24 short period of time and then accepted the job of  
 25 district commander of District Chicago.

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1 become the acting director of District 6 for the third  
 2 time in the 1998/1999 time period, correct?  
 3 MS. ALLEN: I'm going to object to the form  
 4 of the question, the use of the words "moved out".  
 5 MS. RIOS: I'll join the -- the -- the  
 6 objection.  
 7 A. I -- yes. I was -- I was filling in between  
 8 those individuals coming in and -- and being assigned  
 9 as -- as commander. And that occurred a third time 0:11:55  
 10 when the position was posted. And Michael Snyders was  
 11 chosen to be District 6 captain and came in as the  
 12 captain of the District.  
 13 Q. Okay. Was the District 6 captain position  
 14 posted prior to the time Captain Murray was assigned to  
 15 it? 0:12:25  
 16 MS. ALLEN: Objection to relevance and  
 17 remoteness.  
 18 MS. RIOS: I will join the objection.  
 19 A. No, it wasn't.  
 20 Q. Was Captain Murray assigned elsewhere in the  
 21 ISP and then transferred into District 6?  
 22 MS. ALLEN: Objection to relevance and  
 23 remoteness.  
 24 MS. RIOS: I'll object on the basis of  
 25 foundation.

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1 Q. Okay. So in 1998 you became the acting  
 2 district commander when Ken Hall moved for a period of  
 3 time into DII, is that correct? 0:09:46  
 4 A. Yes.  
 5 Q. What period of time did you first act as  
 6 acting district commander of District 6?  
 7 A. I -- I don't call -- recall. To be honest  
 8 with you, between 1998 and towards the end of 1999,  
 9 there were three similar shuffles.  
 10 Q. Can you talk to me about those shuffles and  
 11 what happened? Who came in and what happened to you?  
 12 MS. ALLEN: Objection to relevance and  
 13 remoteness. 0:10:11  
 14 MS. RIOS: I'll join the objection.  
 15 A. And there was a period of time that Captain  
 16 Murray was assigned to District 6 for a short tenure of  
 17 time.  
 18 Q. Let me see if I can understand the  
 19 chronology. Ken Hall is the -- you're the operations  
 20 lieutenant and Ken Hall is the captain and the  
 21 commander of District 6 for a period of time, correct?  
 22 A. Yes. 0:10:42  
 23 Q. And then Ken Hall is moved to the DII for a  
 24 period of time, correct?  
 25 A. Yes.

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1 A. Yes.  
 2 Q. How long was Captain Murray the acting  
 3 commander of District 6? 0:12:56  
 4 MS. ALLEN: If I could have a continuing  
 5 objection so I don't have to keep interrupting.  
 6 Relevance and remoteness to this line of questioning.  
 7 MS. RIOS: I'll join the objection.  
 8 MS. RAIMOND: Absolutely.  
 9 A. He wasn't -- his assignment wasn't acting. I  
 10 mean, it was district commander. I -- I -- I honestly  
 11 don't recall the time frame.  
 12 Q. Do you recall whether it was a period of  
 13 months? 0:13:22  
 14 A. It was a period of months, yes.  
 15 Q. And while Captain Murray -- did the Illinois  
 16 State Police assign Captain Murray elsewhere and then  
 17 post the District 6 captain position?  
 18 MS. RIOS: Objection. Lack of foundation.  
 19 MS. ALLEN: Same objection.  
 20 A. When Captain Murray took another position,  
 21 they did post -- when -- when he departed District 6  
 22 for another assignment, they did post the position. 0:13:55  
 23 Q. And when Captain Murray left the District 6  
 24 commander position to take another position within the  
 25 Illinois State Police, was -- did the Illinois State

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1 Police post the captain position for District 6?  
 2 A. Yes.  
 3 Q. Did you apply for that position?  
 4 A. Yes.  
 5 Q. And at that point in time you had been acting  
 6 commander three times in District 6, correct?  
 7 MS. RIOS: Objection to the form of the  
 8 question.  
 9 A. I filled in between -- during those periods  
 10 of time. So yes, I -- I filled in in the absence of  
 11 the permanently determined district commander 0:14:32  
 12 Q. And you filled in in the absence of a  
 13 permanently assigned district commander three times in  
 14 the 1998 to 1999 time period, correct?  
 15 MS. ALLEN: Objection, asked and answered.  
 16 MS. RIOS: Same objection.  
 17 A. Yes.  
 18 Q. Okay. And all the time holding the rank of  
 19 lieutenant, correct?  
 20 MS. ALLEN: Objection, asked and answered.  
 21 MS. RIOS: Same objection.  
 22 A. Yes.  
 23 Q. Did you receive the promotion to captain of  
 24 District 6 when you first applied for it? 0:15:01  
 25 MS. ALLEN: Objection to relevance and

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1 there's more than one --  
 2 MS. RAIMOND: Okay.  
 3 MS. RIOS: -- attorney of record --  
 4 MS. RAIMOND: You and --  
 5 MS. RIOS: -- on this matter.  
 6 MS. RAIMOND: You and Scott have represented  
 7 the Illinois State Police --  
 8 MS. RIOS: Correct.  
 9 MS. RAIMOND: -- in motions that have been  
 10 decided by Judge Brown, correct?  
 11 MS. ALLEN: Am I --  
 12 MS. RAIMOND: No, and I want to make -- what  
 13 I want to make of record of is, would you agree that  
 14 the only referral that Judge Brown has received has  
 15 been on a motion by motion basis and that Judge Conlon  
 16 has not made a general discovery referral? 0:17:35  
 17 MS. RIOS: I believe that Judge Brown has  
 18 received motions regarding discovery and that she has  
 19 upon those motions made rulings which affect the scope  
 20 of discovery in the matter.  
 21 MS. RAIMOND: So you believe she's refer --  
 22 she has received a general discovery referral.  
 23 MS. RIOS: I think you're mixing the two. I  
 24 think you're talking about apples and oranges. You 0:17:58  
 25 know, when something's been filed, however, it's

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1 remoteness.  
 2 MS. RIOS: I'll join the objection.  
 3 A. No.  
 4 Q. What year did you first apply for the  
 5 District 6 commander position?  
 6 MS. ALLEN: I'm going to have to ask how much  
 7 longer this is going on, because we are here to talk  
 8 about District 5 and the captain position in District  
 9 5. And if this is going to be much longer, I'm willing 0:15:26  
 10 to allow you some room for inquiry, but as you know,  
 11 Judge Brown has entered an order specifically stating  
 12 this is a single plaintiff discrimination retaliation  
 13 lawsuit in District 5.  
 14 Q. What year did you first apply for the  
 15 District 6 commander position?  
 16 A. To the best that I recall, it would've been  
 17 1999 when the position was posted. It -- it was 0:15:57  
 18 probably early in the year, but I -- I honestly don't  
 19 recall the -- the specifics with it.  
 20 Q. Who did the ISP choose for the District 6  
 21 commander position in 1999 around the time you applied  
 22 for it?  
 23 MS. ALLEN: Objection, asked and answered.  
 24 And at this point I am going to instruct the captain  
 25 not to answer any further questions in this inquiry

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1 referred to Judge Brown, but Judge Brown is making  
 2 rulings on the scope of discovery in the case.  
 3 MS. RAIMOND: With regard to --  
 4 MS. RIOS: Ms. Raimond, has Judge --  
 5 MS. RAIMOND: -- general --  
 6 MS. RIOS: -- Conlon issued --  
 7 MS. RAIMOND: -- with regard to --  
 8 MS. RIOS: -- a single --  
 9 MS. RAIMOND: -- individual requests,  
 10 correct?  
 11 MS. RIOS: -- ruling on the discovery matter?  
 12 MS. ALLEN: But in ruling on those requests  
 13 she has made, we've been in seven hearings on this  
 14 case. No less than seven hearings before Judge Brown.  
 15 And she has ruled on the scope of the discovery. 0:18:21  
 16 MS. RAIMOND: She's ruled on different scopes  
 17 with regard to different requests. I'm just going to  
 18 go back on the record and I'm going to ask my  
 19 questions. And if you are going to instruct the  
 20 witness not to answer questions --  
 21 MS. ALLEN: And I'm going to state that --  
 22 MS. RAIMOND: -- I am going -- you can -- you  
 23 can state --  
 24 MS. ALLEN: -- for the record, I am saying --  
 25 MS. RAIMOND: -- the basis of your

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1 pursuant to Judge Brown's order. 0:16:22  
 2 MS. RAIMOND: What's the basis of the --  
 3 what's the basis, relevance?  
 4 MS. ALLEN: No. The basis is Judge Brown has  
 5 ruled this is not discoverable.  
 6 MS. RAIMOND: Counsel, she has not ruled  
 7 that, and she did not have a general discovery  
 8 referral. She ruled with regard to certain discovery  
 9 requests, and you have no basis to instruct the witness  
 10 not to answer.  
 11 MS. ALLEN: I believe I do under Judge  
 12 Brown's order and I am instructing -- 0:16:46  
 13 MS. RAIMOND: What in Judge Brown's order,  
 14 counsel, for the record? We can off the record.  
 15 RECORDER: Off the record, 10:22 a.m.  
 16 (Off the record)  
 17 RECORDER: Back on the record, 10:23 a.m.  
 18 MS. RAIMOND: Okay. For the record, Ms.  
 19 Rios, you are the only person who's been the attorney  
 20 of record in litigation before Judge Brown, correct? 0:17:08  
 21 MS. RIOS: That's not true. That is not  
 22 correct.  
 23 MS. RAIMOND: Okay. Other than the pending  
 24 protective order. Correct?  
 25 MS. RIOS: No, that's not true. There's --

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1 objections.  
 2 MS. ALLEN: -- you're going to certify it.  
 3 We will --  
 4 MS. RAIMOND: No, I'm not going to certify  
 5 it. And I'm going to seek sanctions against you.  
 6 Because you do not have the right to instruct the  
 7 witness not to answer questions.  
 8 MS. ALLEN: I am here representing the  
 9 deponent. You do understand that, do you not? 0:18:43  
 10 MS. RAIMOND: Ready? Let's go back on the  
 11 record.  
 12 RECORDER: We're still on  
 13 MS. RAIMOND: Okay  
 14 Q. Who received the promotion to District 6  
 15 commander at the time you applied for it and did not  
 16 receive it for the first time?  
 17 MS. ALLEN: I am going to object on the basis  
 18 of the foundations laid in my continuing objection,  
 19 asked and answered, form of the question, and in  
 20 addition, I am going to instruct the witness not to  
 21 answer this line of questions pursuant to Judge Brown's  
 22 order of 12/19/2011 which sets forth the scope of  
 23 discovery and in which she has ruled that this is a  
 24 single plaintiff case, it is not a class action. 0:19:21  
 25 Plaintiff does not have a separate pattern and practice

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1 claim. Discovery beyond certain limits, even as to  
2 discoverability, was denied. On the basis of Judge  
3 Brown's order, I instruct the witness not to answer.  
4 MS. RAIMOND: May I see the part of Judge  
5 Brown's order that you're reading from?  
6 MS. ALLEN: I have highlighted it beginning  
7 at the bottom of page 6 and it goes on from there. 0:19:42  
8 MS. RAIMOND: Okay. And counsel, you  
9 understand that that is related to request number 33,  
10 correct?  
11 MS. ALLEN: I understand that is related to  
12 the class of information sought in the requests that  
13 were before Judge Brown upon which she has ruled.  
14 MS. RAIMOND: Counsel, this order that you  
15 have handed me regards request number 33, and there has  
16 been no motion made to limit the deposition testimony  
17 of any deponent. You aware of that? 0:20:04  
18 MS. ALLEN: I am aware of many of the motions  
19 I have made. I am aware of Judge Brown's order. I  
20 have read it and reread it. Again, the witness will be  
21 instructed not to answer these questions.  
22 MS. RAIMOND: And that is on the basis --  
23 MS. ALLEN: If you -- would you please let me  
24 finish.  
25 MS. RAIMOND: Please.

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1 MS. ALLEN: If you would like to seek the  
2 court's instruction, the witness will then be  
3 instructed pursuant to the court's ruling.  
4 MS. RAIMOND: And so I just want to  
5 understand if the entire basis of your objection is  
6 Judge Brown's ruling with regard to request number 33  
7 that you -- 0:20:32  
8 MS. ALLEN: It is the --  
9 MS. RAIMOND: -- just showed me.  
10 MS. ALLEN: -- totality of the December 19th,  
11 2011 ruling.  
12 MS. RAIMOND: And it's your understanding  
13 that Judge Brown's December of 2011 ruling extended to  
14 deposition testimony, is that correct --  
15 MS. ALLEN: Yes --  
16 MS. RAIMOND: -- counsel?  
17 MS. ALLEN: -- it is.  
18 MS. RAIMOND: Is that your understanding, Ms.  
19 Rios?  
20 MS. RIOS: Yes.  
21 MS. RAIMOND: Okay. And is there any mention  
22 of depositions as far as you're aware of in any of  
23 Judge Brown's rulings, Ms. Allen? 0:20:55  
24 MS. ALLEN: Ms. Raimond, Judge Brown limited  
25 what you can discover. Discoverability extends to

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1 written discovery and depositions. That's the basis  
2 for my ruling. If you would like to call the judge  
3 now, we can do so. If you would like to file a motion  
4 and the witness is -- if she's instructed to return,  
5 we'll return. That's the basis for my objection,  
6 that's how we're -- 0:21:16  
7 MS. RAIMOND: I want to make sure --  
8 MS. ALLEN: -- at this moment  
9 MS. RAIMOND: -- I want to make sure I  
10 understand the basis of your objection.  
11 MS. ALLEN: I have nothing --  
12 MS. RAIMOND: Are you --  
13 MS. ALLEN: -- further to add to my basis of  
14 my objections.  
15 MS. RAIMOND: Is it your contention that  
16 Judge Brown's ruling involved deposition testimony?  
17 MS. ALLEN: I have stated the basis for my  
18 objections.  
19 MS. RAIMOND: And you refuse to answer that?  
20 MS. ALLEN: I am not under oath.  
21 MS. RAIMOND: Okay, we're trying to make a  
22 record here and I'm going to before the court on this.  
23 You refuse to say whether Judge Brown discussed -- 0:21:37  
24 MS. ALLEN: Ms. Raimond --  
25 MS. RAIMOND: -- is that correct?

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1 MS. ALLEN: -- if you wish to review the  
2 basis for my objections, please read the transcript. I  
3 have stated every basis for my objection. I have  
4 nothing further to say.  
5 MS. RAIMOND: And so the basis of your  
6 objection is relevance and asked and answered, correct?  
7 MS. ALLEN: It is not. It is the basis of  
8 Judge Brown's order. That's -- I'm not saying anything  
9 more. I made my record. You then act however you feel  
10 you should act. 0:21:57  
11 MS. RAIMOND: And Ms. Rios, are you joining  
12 the objection in that Judge Brown ruled -- is it your  
13 understanding that --  
14 MS. RIOS: Yeah.  
15 MS. RAIMOND: -- Judge Brown ruled that her  
16 rulings with regard to individual document requests  
17 extended to deposition testimony? Is that your  
18 understanding?  
19 MS. ALLEN: Ms. Rios has no basis to instruct  
20 the witness to answer or not answer. Therefore, I  
21 object to you questioning Ms. Rios. 0:22:18  
22 MS. RIOS: Whether or not I join on the  
23 objection, like -- like she --  
24 MS. RAIMOND: Mm-hmm.  
25 MS. RIOS: -- like Debbie said or Ms. Allen

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1 said, I have no basis to instruct the witness not to  
2 answer. I'm not instructing the witness not to answer  
3 because she's not my client in this matter. My  
4 understanding of the discovery disputes that have gone  
5 before Judge Brown while they're on motions to compel  
6 information, when she's had those motions before her,  
7 she's had to make an analysis on, one, the complaint  
8 that's at issue, the information that's relevant in  
9 order for the plaintiff to pursue her case, and then  
10 make rulings on the evidence based upon what's come  
11 before her. I -- I -- I think that she has made a 0:22:55  
12 ruling based upon the case at large.  
13 MS. RAIMOND: Ms. Rios, is it your  
14 understanding that Judge Brown's rulings extended to  
15 depositions explicitly in her order?  
16 MS. ALLEN: Ms. Raimond, this is not a  
17 deposition of Ms. Rios. She has stated the basis for  
18 her -- for her objections, as have I. If you wish to  
19 continue asking us questions, let's make this a  
20 deposition of us and let the captain go home.  
21 MS. RAIMOND: Do you -- will you -- will you  
22 state whether you believe that Judge Brown's order  
23 extended to deposition testimony? 0:23:27  
24 MS. RIOS: I believe --  
25 MS. ALLEN: I'm going to object, asked and

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1 answered.  
2 MS. RIOS: I -- I believe that Judge Brown  
3 has made rulings upon the scope of discovery in this  
4 case. And she's talked about the relevant time frame  
5 and the relevant issues and the relevant claims. And  
6 that's all I'll say about that.  
7 MS. RAIMOND: Okay. Is it your  
8 understanding, though, that Judge Brown's order is the  
9 basis for instructing witnesses not to answer? 0:23:50  
10 MS. RIOS: I --  
11 MS. ALLEN: I -- you're --  
12 MS. RIOS: No, I have no ability tell her  
13 whether or not -- to tell somebody else, another  
14 attorney, how to direct her client. I'm -- I'm not  
15 saying that I as representative --  
16 MS. RAIMOND: I'm just asking you what you  
17 understand the scope of Judge Brown's order to be.  
18 MS. ALLEN: That is irrelevant. I am making  
19 the objection. I am instructing the witness. Ms. Rios  
20 has joined objections to the extent she feels  
21 appropriate. The record is made. 0:24:11  
22 MS. RIOS: I am not directing Captain Jansky  
23 not to answer. Captain Jansky is not my client. She  
24 is Ms. Allen's client. And I've given you my  
25 understanding of discovery issues on Judge Brown's

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1 rulings. However, like I said, I have no control over  
 2 the deponent how to -- she's not my client. So --  
 3 MS. RAIMOND: Understood.  
 4 MS. RIOS: -- I just don't -- does that make  
 5 sense? 0:24:32  
 6 MS. RAIMOND: It totally does. But my  
 7 question is, are you willing to say one way or the  
 8 other whether you believe Judge Brown's ruling extended  
 9 to deposition testimony and gives counsel the ability  
 10 to instruct witnesses not to answer.  
 11 MS. RIOS: I -- that's -- if -- if you're  
 12 disputing that, then I think that that's a call for the  
 13 judge to make. Again, I'm not going to get in a fight  
 14 with you, I'm not going to get in a fight with the  
 15 deponent's counsel. I'm letting you know my  
 16 understanding of Judge Brown's rulings and, you know,  
 17 for example, we have a protective order on file, the --  
 18 the defendants do, for the 30(b)(6) deposition. And in 0:25:03  
 19 there we've cited Judge Brown's rulings as a basis for  
 20 objections as to -- as to deposition testimony, so --  
 21 MS. RAIMOND: Well, I appreciate you being  
 22 willing to give your understanding of Judge Brown's  
 23 order, and so I'm -- that's all I'm asking you to do.  
 24 What's your --  
 25 MS. RIOS: Right.

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1 Jansky and I are going to step from the room while you  
 2 two have a conversation. I consider this harassment of  
 3 the witness. And so we are going to step out of the 0:26:50  
 4 room until you finish questioning Ms. Rios for her  
 5 deposition.  
 6 MS. RAIMOND: Ms. Jansky, do you feel  
 7 harassed?  
 8 MS. ALLEN: I'm going to object.  
 9 MS. RIOS: Do you want to stay on the record?  
 10 MS. RAIMOND: Yes. So, the Illinois State  
 11 Police won't take a position on that one way or the  
 12 other, is that --  
 13 MS. RIOS: I --  
 14 MS. RAIMOND: -- it's fair if you don't want  
 15 to.  
 16 MS. ALLEN: She has stated her position on  
 17 the record. She has stated --  
 18 MS. RAIMOND: Ms. Allen, you're not -- Ms.  
 19 Allen, you're not representing Ms. Rios. She's capable  
 20 of speaking for herself.  
 21 MS. RIOS: I know, and I've already spoken.  
 22 I've already spoken, I've already said what I am going  
 23 to say. I am not being deposed. I've already given  
 24 you my position. I've already referenced what 0:27:20  
 25 documents that the Illinois State Police and the other

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1 MS. RAIMOND: -- is your understanding of  
 2 Judge Brown's order --  
 3 MS. RIOS: I think I've already answered  
 4 that.  
 5 MS. RAIMOND: Okay. Is it your understanding  
 6 -- is your understanding of Judge Brown's order that it  
 7 is the basis for instructing witnesses not to answer in  
 8 depositions? 0:25:28  
 9 MS. ALLEN: This is irrelevant --  
 10 MS. RIOS: That -- that -- this is an  
 11 irrelevant question.  
 12 MS. ALLEN: So then --  
 13 MS. RIOS: I've already -- just -- the record  
 14 is made and made and made.  
 15 MS. RAIMOND: So you refuse to -- you refuse  
 16 to say what the Illinois State Police's position is on  
 17 that for the record?  
 18 MS. RIOS: I've already told you what the --  
 19 if -- if the fact -- if you don't understand my  
 20 statement, then that -- I can't re-explain it to you  
 21 ten times. I'm not going to be pigeonholed into a  
 22 position that I think does not -- 0:25:55  
 23 MS. RAIMOND: Is it the Illinois State  
 24 Police's position and the individual defendant's  
 25 position that Judge Brown's order with regard to

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1 defendants have filed. And I believe that's a complete  
 2 answer to the question.  
 3 MS. RAIMOND: Okay. So there will not be a  
 4 statement about --  
 5 MS. ALLEN: She --  
 6 MS. RAIMOND: -- what the Illinois State  
 7 Police --  
 8 MS. ALLEN: -- she has given you --  
 9 MS. RIOS: I've already --  
 10 MS. RAIMOND: Please don't interrupt me.  
 11 MS. ALLEN: Please don't interrupt me. I am  
 12 now speaking --  
 13 MS. RAIMOND: Please don't interrupt me.  
 14 MS. ALLEN: -- she has given you her answer.  
 15 You keep asking and asking and asking. This is enough.  
 16 MS. RAIMOND: Now, I would ask you, counsel,  
 17 to stop waving your finger. And I would ask you to  
 18 stop interrupting me. So, I just want to make it --  
 19 MS. RIOS: No, I already -- I've already  
 20 stated my answer for the record. And the fact that you 0:27:45  
 21 are implying that I'm not answering, I -- we disagree  
 22 on that point.  
 23 MS. RAIMOND: That's fine.  
 24 MS. RIOS: That's --  
 25 MS. RAIMOND: I'm --

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1 document requests are grounds for instructing a witness  
 2 not to answer in a deposition? It's a simple question.  
 3 MS. RIOS: I am not --  
 4 MS. ALLEN: Ms. Raimond, do you believe that  
 5 deposition testimony is different than written --  
 6 written discovery?  
 7 MS. RAIMOND: Can you please not interrupt  
 8 our conversation, counsel?  
 9 MS. RIOS: I've already told you our  
 10 position. We believe that Judge Brown's ruling affects  
 11 the basis of discovery at large. As far as defendants 0:26:21  
 12 have gone, we've actually filed a motion for a  
 13 protective order upon grounds based and rooted in the  
 14 December 19th order, so --  
 15 MS. RAIMOND: Right. But my question was  
 16 whether the Illinois State Police takes the position  
 17 that Judge Brown's discovery rulings with regard to  
 18 document requests --  
 19 MS. RIOS: I am not representing --  
 20 MS. RAIMOND: -- provide grounds --  
 21 MS. RIOS: I am not representing the deponent  
 22 in this deposition --  
 23 MS. RAIMOND: I know you're not.  
 24 MS. RIOS: -- so I'm not --  
 25 MS. ALLEN: All right, you know what, Captain

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1 MS. RIOS: -- basically the long -- that's --  
 2 that's it.  
 3 MS. RAIMOND: Fine. So I just want to  
 4 understand, though, that the Illinois State Police is  
 5 not willing to take a position on the record --  
 6 MS. RIOS: I am stating --  
 7 MS. RAIMOND: -- on the issue --  
 8 MS. RIOS: -- I've -- I've --  
 9 MS. RAIMOND: -- of whether or not the  
 10 deposition -- excuse me -- on whether or not Judge  
 11 Brown's rulings with regard to document requests  
 12 extended that position to give counsel the right to  
 13 instruct witnesses not to answer. 0:28:08  
 14 MS. RIOS: I object to the form of the  
 15 question. Lacks foundation, and I believe that we've  
 16 already answered the question.  
 17 MS. RAIMOND: What question?  
 18 MS. RIOS: The -- the question you just asked  
 19 me. We've already answered it in multiple -- I've  
 20 already -- we -- I've already answered it multiple  
 21 times.  
 22 MS. RAIMOND: Oh, well, you mean asked and  
 23 answered? What do you mean? I'm sorry.  
 24 MS. RIOS: I'm -- you -- you've asked for  
 25 ISP's position. ISP and the defendants have given you

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1 their position and you're stating that we haven't given  
 2 you a position. We have. If you want to review the 0:28:32  
 3 transcript and see what we've said, then --  
 4 MS. RAIMOND: Okay. You won't say. Fine.  
 5 MS. ALLEN: Objection to your  
 6 characterization. It's misleading and misquotes and  
 7 mischaracterizes Ms. Rios' testimony.  
 8 MS. RAIMOND: Are you representing Ms. Rios?  
 9 MS. ALLEN: Would you like me to represent  
 10 you?  
 11 MS. RIOS: No, I'm okay, thanks.  
 12 MS. RAIMOND: So you're not representing --  
 13 MS. RIOS: But I'll join the objection.  
 14 MS. RAIMOND: -- Ms. Rios? You're not  
 15 representing Ms. Rios, correct?  
 16 MS. ALLEN: I can state when I believe  
 17 counsel's conduct has reached a line of not letting the  
 18 witness state her position and then mischaracterizing  
 19 it. 0:29:05  
 20 MS. RAIMOND: Are you representing Ms. Rios  
 21 or are you not?  
 22 MS. ALLEN: I am apparently not.  
 23 MS. RAIMOND: Okay. Then I ask you not to  
 24 interrupt when I'm talking to her.  
 25 Q. Captain Jansky, do you feel harassed?

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1 MS. ALLEN: Objection to the question.  
 2 A. No. I feel delayed.  
 3 Q. Captain Jansky, are you refusing to say who  
 4 received the District 6 -- are you refusing to testify  
 5 as to who received the District 6 commander position at  
 6 the first time that you interviewed for that position  
 7 in 1999? 0:29:49  
 8 MS. ALLEN: She has asked and answered that.  
 9 You will review the transcript and it will review she  
 10 has -- reveal she has given you the name.  
 11 Q. Captain Jansky, who received the promotion to  
 12 the District 6 commander position in 1999?  
 13 MS. ALLEN: Objection, asked and answered and  
 14 the again basis for my continuing objection and once  
 15 again I am going to instruct the captain not to answer  
 16 any further questions regarding the captain's position  
 17 in District 6 for 1999. 0:30:19  
 18 Q. Are you going to not answer the question  
 19 then, Captain Jansky?  
 20 A. I -- I believe I did answer. I mean, if you  
 21 play back the tape, I believe that I've answered the  
 22 question.  
 23 Q. Okay. Then who is it then?  
 24 MS. ALLEN: She has asked and answered. I am  
 25 instructing her not to answer any further questions.

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1 If you would like to have the court reporter read it  
 2 back, I will certainly not object to that. 0:30:41  
 3 MS. RAIMOND: Is the basis asked and answered  
 4 that you won't let the -- the witness answer the  
 5 question then?  
 6 MS. ALLEN: The basis is asked and answered.  
 7 The basis is, once again, pursuant to all the reasons I  
 8 stated on the record, the captain is not answering any  
 9 further questions regarding the District 6 captain  
 10 position in 1999.  
 11 MS. RAIMOND: If the question's been asked  
 12 and answered, then that -- the second objection has  
 13 been waived. And I just want to know who it is. Are 0:31:02  
 14 you kidding me? You're saying -- you're taking the  
 15 position --  
 16 MS. ALLEN: Ms. Raimond --  
 17 MS. RAIMOND: -- that the witness is -- let  
 18 me -- let me ask this. I want to clarify the record.  
 19 You're taking the position that the captain's already  
 20 answered the question. And yet she can't answer the  
 21 question now that she -- that you say she already  
 22 answered? And you're saying -- interrupt the  
 23 deposition and let's play back the -- the tape to try  
 24 to find the answer because you -- 0:31:25  
 25 MS. ALLEN: Yes, ma'am. Because of all of

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1 the questioning you did of counsel, that answer is  
 2 obviously long since forgotten.  
 3 MS. RAIMOND: You're not going to let Captain  
 4 Jansky answer.  
 5 MS. ALLEN: I am not allowing Captain Jansky  
 6 to answer any further questions regarding the captain 6  
 7 position in 1999. That is correct.  
 8 MS. RAIMOND: All right. Well, I think we're  
 9 going to have to go off the record here and -- we may  
 10 need to just resume this deposition at a further date,  
 11 because your -- 0:31:53  
 12 MS. ALLEN: That's fine.  
 13 MS. RAIMOND: -- obstructing the deposition.  
 14 MS. ALLEN: I believe I am not. I stand by  
 15 my objections as stated on the record.  
 16 RECORDER: Off the record, 10:38 a.m.  
 17 (Off the record)  
 18 RECORDER: Back on the record, 11:01 a.m.  
 19 MS. RAIMOND: Okay. At this juncture, I am  
 20 unable to proceed with the deposition because counsel  
 21 for the witness has instructed her not to answer  
 22 questions. Not based on privilege but based on 0:32:27  
 23 objections to relevance, asked and answered, and her  
 24 contention that Judge Brown has made binding rulings on  
 25 the scope of discovery that applied to depositions,

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1 even though Judge Brown has not heard any motion with  
 2 regard to depositions. The rules provide that other 0:32:51  
 3 than privilege, counsel must permit the witness to  
 4 answer questions, although objections are preserved,  
 5 unless counsel wants to adjourn the deposition and seek  
 6 a protective order. I would ask counsel to abide by  
 7 those rules. Would you agree to abide by those rules?  
 8 MS. ALLEN: Ms. Raimond, I don't believe you  
 9 have accurately stated my position. I have previously  
 10 stated my objections and my position for the record.  
 11 The record reflects my objections and things like that. 0:33:23  
 12 I will seek a protective order if you indicate that are  
 13 going to continue asking the captain questions that are  
 14 beyond what is permitted by Judge Brown's ruling. I  
 15 believe, however, there are many other areas of  
 16 inquiry, particularly your client's lawsuit and this  
 17 witness' involvement or knowledge of those facts that  
 18 can be continued on with today. I would ask you to do  
 19 so. Are you willing to conduct those questions today? 0:33:46  
 20 MS. RAIMOND: I would conduct the deposition  
 21 in the manner that is -- in the manner that is  
 22 appropriate for my client. And so your limiting the  
 23 subject matter of my deposition is not acceptable to  
 24 me. I believe that you can raise whatever objection  
 25 that you would like for the record but that you may not

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1 instruct the witness not to answer the questions. And 0:34:17  
 2 if you would abide by that, I would proceed with the  
 3 depositions and all your objections will be preserved  
 4 for the record other than obviously privilege, and I  
 5 would not object to you instructing the witness not to  
 6 answer on grounds of privilege. For example, there is  
 7 apparently -- both you and your client acknowledge that  
 8 a question's already been answered about who received  
 9 the District 6 commander position in 1999, but you will  
 10 not let her say the name again because the question was  
 11 asked and answered. And you instructed the witness not 0:34:50  
 12 to answer. I -- I can't proceed in this manner when  
 13 you're instructing the witness not to answer questions  
 14 based on non-privilege issues. So, will you agree to  
 15 just make your objections for the record other than  
 16 privilege but permit the witness to answer the  
 17 questions?  
 18 MS. ALLEN: Ms. Raimond, you have misstated  
 19 the reasons I would not allow the captain to answer the  
 20 last question pending. My reasons fully were stated on 0:35:14  
 21 the record. I cannot agree to proceed in the manner  
 22 you are suggesting. I will go seek a protective order.  
 23 If you do not wish to proceed with any further  
 24 questions of the captain, I understand that is your  
 25 right. I am asking you to. If you do not agree so,



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1 that is your right. We will adjourn. We will seek the  
 2 court's intervention, of course, and set appropriate  
 3 limits on what I believe the court has already ruled  
 4 upon, and then we will try and find another mutually  
 5 agreeable date and time to continue the captain's  
 6 deposition. 0:35:42  
 7 MS. RAIMOND: Okay. So you continue -- so  
 8 what I think you're saying is that you intend to  
 9 continue to instruct the witness not to answer based on  
 10 your interpretation of Judge Brown's ruling and -- and  
 11 the way you believe it limits the scope of depositions.  
 12 Is that fair?  
 13 MS. ALLEN: I have stated the basis of my  
 14 instructions to the client on the record and that's my  
 15 objection. 0:36:04  
 16 MS. RAIMOND: Well, my question is a little  
 17 broader than that. You didn't let the captain answer  
 18 questions about who received the District 6 commander  
 19 position in 1999 that she applied for. But what I  
 20 understand your object to be is to any line of  
 21 testimony that you believe is somehow covered by Judge  
 22 Brown's ruling on document requests. And so you are 0:36:29  
 23 going to instruct the witness not to answer any  
 24 questions that you believe fall outside of that scope.  
 25 Is that fair?

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1 MS. ALLEN: Ms. Raimond, I have fully and  
 2 multiple times stated the bases for my objections and  
 3 my instruction to the captain. I stand by what I have  
 4 previously stated. I have nothing further to add to  
 5 that.  
 6 MS. RAIMOND: Can you just tell me what --  
 7 what questions you're going to allow her to answer and  
 8 what kind of questions you're not going to allow her to  
 9 answer and that's going to allow me to decide whether  
 10 or not it's going to be fruitful to proceed? 0:36:53  
 11 MS. ALLEN: Ms. Raimond, I have previously  
 12 and on multiple occasions stated the bases for my  
 13 objection and the bases for the instructions to the  
 14 witness. I have nothing further to add what I have  
 15 already stated.  
 16 MS. RAIMOND: I'm just asking you, Ms. Allen,  
 17 to just tell me what questions you're going to allow  
 18 her to answer and what questions you're not so I can  
 19 figure out if it's worth proceeding or adjourning the  
 20 deposition and getting sanctions. Because my  
 21 understanding is you're not going to adjourn the  
 22 deposition and get a protective order. 0:37:16  
 23 MS. ALLEN: I am going to seek a protective  
 24 order if that is what you require. If you wish to ask  
 25 the captain clients (sic) that violate Judge Brown's

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1 order, then I am going to go seek a protective order.  
 2 MS. RAIMOND: I don't understand what line of  
 3 testimony you believe violate Judge Brown's order, and  
 4 that's the issue I'm having. If you could explain it  
 5 to me, then I can --  
 6 MS. ALLEN: Would you like another copy of  
 7 Judge Brown's ruling? Judge Brown set time and  
 8 temporal limitations as well as limitations on the --  
 9 the fact that this is a single plaintiff discrimination  
 10 retaliation complaint. And further bases are stated in 0:37:50  
 11 Judge Brown's order, and I'd be happy to share my copy  
 12 of that with you.  
 13 MS. RAIMOND: Well, I read Judge Brown's  
 14 order and Judge Brown's order had to do with document  
 15 requests, so what I'm just trying to understand from  
 16 you is you seem to believe that Judge Brown's ruling  
 17 went beyond the individual document requests and extend  
 18 to depositions. I disagree, but so be it. My question 0:38:11  
 19 to you is, what limits do you believe Judge Brown's  
 20 order puts on the deposition? With that information, I  
 21 can decide whether it makes sense to proceed or not.  
 22 MS. ALLEN: I believe that Judge Brown set  
 23 temporal time locations, geographic locations, and  
 24 limited it to the facts of your client's lawsuit. And  
 25 I have further stated my objections and all the bases

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1 for -- on the record, multiple times, and I have  
 2 nothing further to add. 0:38:38  
 3 MS. RAIMOND: What temporal and geographic  
 4 limitations do you believe that Judge Brown placed on  
 5 depositions?  
 6 MS. ALLEN: Ms. Raimond, I will provide you  
 7 again with my copy of the Judge's ruling. And if -- if  
 8 you would like for us to go off the record and -- and  
 9 have a discussion -- but again, all I can say is, I'm  
 10 asking you to abide by Judge Brown's ruling. If you  
 11 believe that this ruling is not limiting to you and you  
 12 intend to continue asking questions about what happened  
 13 in District 6, a district not at issue in your client's  
 14 litigation, in 1999, at year not at issue in your  
 15 client's litigation, then I am going to continue  
 16 instructing Captain Jansky not to answer questions like  
 17 that. I tried to give you some latitude. But when it 0:39:21  
 18 appeared that this was going to be a substantial focus  
 19 of your questioning for the captain, that is  
 20 unacceptable, and I do have to resort back to Judge  
 21 Brown's order.  
 22 MS. RAIMOND: Well, here's the thing, is I  
 23 don't think Judge Brown's order applies to depositions  
 24 at all. And so that's why I asked what your  
 25 understanding was. But I understand you don't want to

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1 tell me. I'm trying to get background information on  
 2 -- from the captain about her experience at the  
 3 Illinois State Police. That's all I'm trying to do. I 0:39:47  
 4 -- I believe that the rules permit -- you can object  
 5 based on relevance or anything else that you want, but  
 6 your instruction to the witness not to answer the  
 7 question is what's impeding my ability to conduct the  
 8 deposition as well as your stated intention to instruct  
 9 the witness not to answer any question that you believe  
 10 falls outside the grounds of Judge Brown's rulings on  
 11 document requests. 0:40:11  
 12 MS. ALLEN: Ms. Raimond, I have a different  
 13 interpretation of the Judge's order. We seem to at an  
 14 impasse. I ask that you simply continue questioning  
 15 Captain Jansky as to her involvement on the interview  
 16 panel of your client, what she did in preparation for  
 17 that, what occurred during that panel interview, and  
 18 her involvement in anything that occurred after the  
 19 panel interview. Are you willing to ask those  
 20 questions of the captain today? 0:40:33  
 21 MS. RAIMOND: I am not willing to -- I am not  
 22 willing to take a deposition in which you are violating  
 23 the Rules of Civil Procedure and instructing the  
 24 witness not to answer questions without seeking --  
 25 MS. ALLEN: You have not answered --

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1 MS. RAIMOND: -- a protective --  
 2 MS. ALLEN: -- my question.  
 3 MS. RAIMOND: I am not --  
 4 MS. ALLEN: Are you willing to ask --  
 5 MS. RAIMOND: Ms. Allen, please don't  
 6 interrupt me for the record. Please don't interrupt  
 7 me. I am not willing to go through with a deposition  
 8 in which you are instructing the witness not to answer  
 9 questions that are not based on privilege. I believe 0:40:58  
 10 that you're instructing my -- you're obstructing my  
 11 ability to take a deposition here today based on a  
 12 ruling of Judge Brown that is not about depositions,  
 13 that is about document requests. In addition to that,  
 14 you won't even let Captain Jansky answer a question  
 15 that you tell me she's already answered, and that I  
 16 would need to stop the deposition and go review the  
 17 tape. This is obstructionist. I cannot take the 0:41:24  
 18 deposition. I think the appropriate recourse that you  
 19 had, if you are going to instruct the witness not to  
 20 answer, would be to adjourn the deposition and seek a  
 21 protective order. You did not do that. You're not  
 22 allowing me to go through with the deposition. So I'm  
 23 going to have to adjourn the deposition and -- and seek  
 24 sanctions against you for obstructing it. 0:41:44  
 25 MS. ALLEN: Ms. Raimond, would you care to

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1 try and get Magistrate Brown on the phone right now to  
2 resolve this issue?

3 MS. RAIMOND: The issue is before Judge  
4 Conlon and Judge Conlon's rules require the filing of a  
5 written motion. And so that is what I am going to go  
6 back to my office and do right now.

7 MS. RIOS: All right. We will see everyone  
8 apparently some other time.

9 RECORDER: Off the record, 11:11 a.m.

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## CERTIFICATION

1 I certify that the foregoing is a correct  
2 transcript from the record of proceedings  
3 in the above-entitled matter.

4  
5

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7 Erin C Sloan  
8 January 5, 2012  
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